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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 TYRUS E. EVERETT,

9 *Plaintiff,*

10 vs.

11 RICHARD MARSHALL, *et al.,*

12 *Defendants.*  
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2:12-cv-01783-RCJ-VCF

ORDER

14 Plaintiff, a Nevada state inmate, has filed an application (#1) to proceed *in forma*  
15 *pauperis* seeking to initiate a civil rights action.

16 The application is incomplete. Both a financial certificate properly executed by an  
17 appropriate institutional officer and a statement of the plaintiff's inmate trust fund account for  
18 the past six months are required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2. Plaintiff  
19 attached a financial certificate, but he did not attach a statement of his inmate trust account  
20 for the past six months. He must attach both to submit a proper pauper application and  
21 properly commence a civil action.

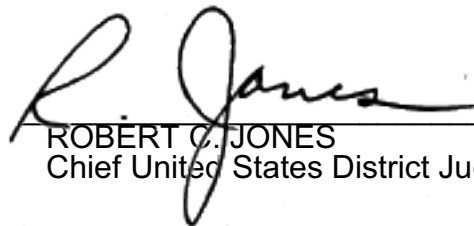
22 It does not appear from review of the allegations presented that a dismissal without  
23 prejudice will result in a promptly filed and properly commenced action being time-barred.  
24 This improperly-commenced action therefore will be dismissed without prejudice.

25 IT THEREFORE IS ORDERED that the application to proceed *in forma pauperis* (#1)  
26 is DENIED and that this action shall be DISMISSED without prejudice to the filing of a new  
27 complaint on the required form in a new action together with either a new pauper application  
28 with all required attachments or payment of the \$350.00 filing fee.

1 The Clerk of Court shall send plaintiff a copy of the papers that he filed along with the  
2 complaint and pauper forms and instructions for both forms.

3 The Clerk shall enter final judgment accordingly, dismissing this action without  
4 prejudice.

5 DATED: October 18, 2012.

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8 ROBERT C. JONES  
9 Chief United States District Judge  
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